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**VIA COURIER**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals Complex  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Stop Code 1800D5**  
**Attn: Allocations Branch**

Re: **WBBF-FM, Avon, New York** 01-60/RM-10073  
**Petition For Rulemaking To Change Community**  
**of License From Avon to Fairport, New York**

Dear Ms. Salas:

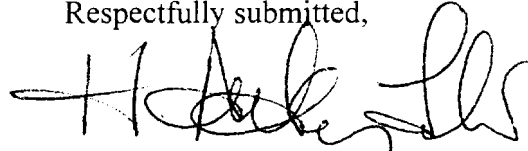
On behalf of Entercom Rochester License, LLC, licensee of radio station WBBF-FM, Avon, New York, we hereby submit an original and four (4) copies of a Petition for Rulemaking seeking to amend the FM Table of Allotments to reallocate Channel 227A from Avon to Fairport, New York and to modify WBBF-FM's license to specify Fairport as its community of license. No fee is required for this filing.

LEVENTHAL, SENTER & LERMAN P.L.L.C.

Ms. Magalie Roman Salas  
December 1, 2000  
Page 2

If any questions should arise concerning this filing, please contact the undersigned counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Anthony Lehv', with a stylized flourish at the end.

H. Anthony Lehv  
Elizabeth N. Alexander  
(Admitted to Illinois, Supervised  
By Members of the DC Bar)

Enclosure

cc: John C. Donlevie, Esq.  
Martin D. Hadfield  
Erik C. Swanson  
Michael Doyle

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**



In the Matter of )  
)  
Amendment of Section 73.202(b) )  
Table of Allotments, )  
FM Broadcast Stations. )  
(Avon and Fairport, New York) )

MM Docket No. 01-60  
RM- 10073

**RECEIVED**

**DEC 04 2000**

To: Chief, Allocations Branch

**Federal Communications Commission  
Office of Secretary**

**PETITION FOR RULEMAKING**

Entercom Rochester License, LLC ("ERL"), licensee of Station WBBF-FM, Avon, New York, by its attorneys, and pursuant to Section 1.420(i) of the Commission's rules, hereby submits this Petition For Rulemaking seeking to change the community of license of WBBF-FM from Avon to Fairport, New York. The change would result in a preferential arrangement of the allotments, would provide the city of Fairport with its first local transmission service and would provide an additional reception service to 390,146 persons. ERL accordingly requests that the Commission issue a Notice of Proposed Rulemaking proposing to modify the FM Table of Allotments to reallocate Channel 227A to Fairport and to modify WBBF-FM's license to specify Fairport as its community of license. ERL will file an application to implement the change if Channel 227A is allotted to Fairport.

**DISCUSSION**

Under Section 1.420(i) of the Commission's rules and its policies relating to proposed changes to a station's community of license, the Commission may modify a station's license to specify a new community of license without affording interested parties an opportunity to file

competing expressions of interest if: (a) the proposed community of license qualifies under Commission policies; (b) the new allotment would be mutually exclusive with the old allotment; (c) considering the totality of factors, the new allotment would result in a preferential arrangement of allotments; and (d) the relocation would not deprive a community of its sole local transmission outlet. *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990) ("*Community Recon Order*"). ERL's community of license change proposal satisfies each of these criteria.

#### **I. Fairport Is a Community Deserving of an FM Channel Allotment.**

Under Section 307(b) of the Communications Act of 1934, as amended (the "Act"), the Commission may award licenses to applicants who propose to serve a particular community. The Commission defines a "community" as a "geographically identifiable population grouping." *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 101 (1982) ("*FM Policies Order*"). The Commission has also explained that "[g]enerally, if a community is incorporated or is listed in the U.S. Census, that is sufficient to demonstrate its [community] status." *Arnoldsburg, West Virginia*, 2000 FCC Lexis 2927 at \*5-6 (May 26, 2000). Fairport, which is located on the eastern edge of Monroe County, was incorporated in 1867 and is listed in the 1990 US Census as having a population of 5,943 persons. As explained in greater detail in this filing, Fairport has its own government, services and civic identity. See "*Tuck Showing*" *infra.* at pp. 7-10. Accordingly, under the principles explained in *Arnoldsburg*, the Commission easily should conclude that Fairport is a community for purposes of satisfying Section 307(b) of the Act.

## **II. The New Allotment is Mutually Exclusive with the Existing Allotment.**

WBBF-FM is licensed to operate on Channel 227A at Avon. ERL proposes to change WBBF-FM's community of license to Fairport, with a corresponding change in transmitter site. Channel 227A can be allotted to Fairport in conformity with all applicable minimum spacing requirements of Section 73.207(a) of the Commission's rules with respect to other stations and allotments. Engineering at 1. However, because the minimum required spacing between co-channel Class A stations is 115 kilometers, 47 C.F.R. § 73.207(a), and Fairport is located only approximately 45 kilometers from Avon, the new allotment would be mutually exclusive with WBBF-FM's existing allotment.

ERL proposes reference coordinates for the Fairport allotment at 43-10-37, 77-28-39. Engineering at 1. From these coordinates, the operation of WBBF-FM would comply with Section 73.315 by providing line-of-sight coverage to Fairport, and all of Fairport would be encompassed by the station's principal community (70 dBu) signal contour. Engineering at 1. Because Fairport is located within 320 kilometers (199 miles) of the Canadian border, concurrence with Canada is required for this reallocation. Engineering at 1-2.<sup>1</sup>

## **III. The Proposed Change Would Result In a Preferential Arrangement of Allotments.**

Station WBBF-FM would be Fairport's first full-service local transmission service.<sup>2</sup> After the proposed reallocation of this channel, Avon will continue to be served by full-time

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<sup>1</sup> Because ERL owns the tower that WBBF-FM would use to serve Fairport, it would be able to implement the change in community of license and transmitter site change on an expedited basis.

<sup>2</sup> There is an FM Translator, W286AE, licensed to Greece Central School District.

Station WYSL(AM). Removing Channel 227A from Avon and allotting it to Fairport therefore will result in a preferential arrangement of allotments.<sup>3</sup> Retaining Channel 227A at Avon would serve only priority (4), other public interest matters, while allotting Channel 227A to Fairport would serve priority (3) by providing first local transmission service to Fairport. Avon has a population of 2,995, while Fairport's population is nearly double, approximately 5,943 persons. In making comparative assessments under Section 307(b), the Commission generally will allot a channel to the larger community, *Everglades City, LaBelle, Estero and Key West, Florida*, 15 FCC Rcd 9427 (2000), thereby providing another justification for granting the requested change.

The public interest benefits from granting Fairport its first local transmission service far outweigh any benefits of retaining Channel 227A in Avon. WBBF-FM's current predicted 60 dBu service contour encompasses 2,515 square kilometers within which approximately 410,049 persons reside. From the Fairport reference coordinates, the predicted 60 dBu service contour of WBBF-FM would encompass 1,870 square kilometers and would serve approximately 727,243 persons, yielding a service gain of 390,146 persons.<sup>4</sup> This substantial gain in service is larger than in many similar rule making requests approved by the Commission and warrants grant of this Petition. *See Pottsboro, Roxton and Whitesboro, Texas*, 14 FCC Rcd 2874 (1999) (approving change where net service gain was only 188,682 persons); *Pawley's Island and*

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<sup>3</sup> The FM allotment priorities are: (1) first full-time aural service; (2) second full-time aural service; (3) first local service, and (4) other public interest matters. Equal weight is given to priorities (2) and (3). *FM Policies Order*, 90 FCC 2d at 101.

<sup>4</sup> The drop in area covered is due to the fact that the Avon 60 dBu contour falls entirely over land, while the proposed Fairport 60 dBu contour would fall partially over Lake Ontario. Engineering Statement at 3.

*Atlantic Beach, South Carolina*, 8 FCC Rcd 8657 (1993) (approving change where net service gain was only 28,978 persons).

The Commission's traditional concern with removing existing service from a community, *Community Recon Order, supra*, 5 FCC Rcd at 7097, also should be allayed in this case because the area which will lose service from WBBF-FM will continue to be served in whole or part by 32 full-time transmission services. Furthermore, all of the persons now receiving service from WBBF-FM will continue to be "well-served" despite the loss of that service. Engineering at 4. In sum, any loss of service to Avon is wholly outweighed by the increase in population served from Fairport and by the introduction of a first local transmission service there. *See Dassel and Hutchinson, Minnesota*, 12 FCC Rcd 20145 (1997).

ERL acknowledges that from the reference coordinates for the Fairport allotment, the predicted 70 dBu signal contour of WBBF-FM will encompass more than 50 % of the Rochester, New York Urbanized Area. Engineering at 4. However, the Fairport allotment should not be considered a Rochester service because Fairport is independent from Rochester. *See Headland, Alabama, and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995), citing *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) ("*Tuck*").

The Commission considers three factors in determining whether a community is independent from an urbanized area and thus deserving of a first local service preference: (1) the signal population coverage; (2) the size of the suburban community relative to the adjacent city; and most importantly; (3) the interdependence of the suburban community with the adjacent city. *Pitkin, Lake Charles, Moss Bluff and Reeves, Louisiana*, 2000 FCC Lexis 4757 (Sept. 8, 2000)

("Pitkin"); *Tuck*, 3 FCC Rcd at 5377. The proposed 70 dBu signal contour of WBBF-FM would encompass only 65 % of the Rochester Urbanized Area. Additionally, according to the 1990 Census, Fairport has a population of 5,943 persons, or 2.5 % of Rochester's population of 231,636. The Commission has ruled favorably on change of community of license proposals where the population ratio was less than or equivalent to Fairport's ratio to Rochester. *See Ada, Newcastle and Watonga, Oklahoma*, 11 FCC Rcd 16896 (1996) (approving change where new community was .9 % of larger community); *Pitkin, supra*, 2000 FCC Lexis 4757 at ¶ 10 (approving change where new community was 2 % of larger community).

With regards to the third *Tuck* factor, the Commission set forth eight elements by which it assesses the independence of a specified community of license.<sup>5</sup> ERL need not demonstrate that it satisfies all eight factors to establish Fairport's independence from Rochester. Rather, the Commission considers a community to be independent when a majority of the *Tuck* elements support such a conclusion. *See Jupiter and Hobe Sound, Florida*, 12 FCC Rcd 3570 (1997) (approving change where a majority of *Tuck* factors were satisfied).

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<sup>5</sup> These factors are: (1) the extent to which community residents work in the larger metropolitan area rather than in the specified community; (2) whether the smaller community has its own newspaper or other media that covers the community's local needs and interests; (3) whether community leaders and residents perceive the specified community as being an integral part of, or separate from, the larger metropolitan area; (4) whether the specified community has its own local government and elected officials; (5) whether the smaller community has its own telephone book provided by the local telephone company or zip code; (6) whether the community has its own commercial establishments, health facilities, and transportation systems; (7) the extent to which the specified community and central city are part of the same advertising market; (8) the extent to which the specified community relies on the larger metropolitan area for various municipal services, such as police, fire protection, schools, and libraries. *Tuck*, 3 FCC at 5378.



Under the *Tuck* elements, Fairport obviously is independent from Rochester. Fairport was incorporated in 1867 and is governed by an elected Mayor and a five member Village Board. These elected officials oversee numerous community services and departments. Included among these are the Department of Public Works, which is responsible for Fairport's trash collection and recycling, street and sidewalk maintenance, animal control and snow plowing; Fairport Electric, one of only 47 municipally-owned power companies in New York state; the Fairport Municipal Commission, which oversees Fairport's own electric and water services; the Fairport Planning Board, which monitors and plans community expansion and growth; the Zoning Board of Appeals, which resolves zoning license disputes; and the Fairport Urban Renewal/Industrial Development Agency Board, which guides Fairport's efforts to aid resident home owners and gives financial assistance and encourages businesses to create employment opportunities within the community. Other prominent community officials include a Village Clerk, Village Justice, Village Attorney, and the Fairport Building Inspector. In addition to its own local taxing authority, Fairport has its own court system to enforce the its zoning, building, electric and other codes. The existence of this substantial and independent local government confirms Fairport's independence from Rochester, *Anniston and Ashland, Alabama and College Park, Covington, Milledgeville, and Social Circle, Georgia* 2000 FCC Lexis 2250 (April 28, 2000) (finding new community independent due to the existence of separate local government), as does the fact that Fairport has its own Zip Code (14450) and post office. *Refugio and Taft, Texas* 15 FCC Rcd 8497 (2000) (noting that community zip code is indicative of independence from larger metropolitan area).

Furthermore, Fairport does not rely upon Rochester in order to provide its residents with important municipal services. Fairport maintains and supports its own 12 member police force, one of only 60 of the 560 New York state police departments to be awarded state accreditation. Fairport is served by its own fire department, which maintains two fire stations, while ambulance services are provided through the Perinton Volunteer Ambulance Corps. Fairport maintains its own public park and recreational facilities and swimming pool. The Fairport Public Library contains a large lending collection, and organizes a variety of community events. The Fairport School District oversees four elementary schools, three middle schools and one high school, each with its own athletic fields and auditoriums. Total enrollment in these schools exceeds 7,200 students (including students from neighboring Perinton) and the district provides transportation services for its students. These services add substantiation of Fairport's independence. *Scotland Neck and Pinetops, North Carolina* 7 FCC Rcd 5113 (1992) (holding, in part, that community was independent due to existence of police, fire and educational services).

Community leaders also consider Fairport to be separate and distinct from Rochester. Fairport has its own Internet site created by local government officials ([www.fairportny.com](http://www.fairportny.com)) which contains extensive information about community events and services. Fairport residents have significant local civic pride and organize several major local annual events and celebrations such as the Fourth of July parade and the "Canal Days" festival, which attracts over 200,000 visitors each year. Residents also support numerous local civic organizations including a PTA, a Humane Society, the Fairport Lions Club, and the Center for Youth Services.

Significantly, Fairport is served by two local community-access cable channels which focus on reporting Fairport's local newsworthy events and give local residents the opportunity to contribute to station programming. Fairport is also served by its own weekly newspaper, *The Perinton-Fairport Post*, which covers the community's local needs and interests and runs extensive advertisements from local businesses. See *Pleasanton, Bandera Hondo, and Schertz, Texas* 15 FCC Rcd 3068 (2000) (recognizing that even existence of local newsletter is good indication of community independence).

The Fairport area contains a number of major industries and a variety of smaller businesses which employ Fairport residents. The Fairport School District employs over 1,100 individuals. The Perinton-Fairport Chamber of Commerce contains over one hundred members. The area is home to over 1,200 businesses which cater to resident needs, another indication of local independence. Fairport is also served by a number of local medical and dental facilities. In addition, Fairport residents support over twenty religious institutions. See *Bessemer and Tuscaloosa, Alabama* 11 FCC Rcd 2967 (1996) (evidence of local employment opportunities supported finding of community independence).

As the foregoing discussion establishes, Fairport easily satisfies the majority of the *Tuck* factors and must be considered independent from Rochester. Accordingly, because Fairport is an independent community that otherwise satisfies the Commission's change in community of license policies, it is deserving of first local transmission service. The Commission should consider allotting Channel 227A to Fairport as set forth below:

### Channel Number

Community	Present	Proposed
Avon, New York	227A	227A
Fairport, New York	-----	227A

### CONCLUSION

Fairport, New York, is an incorporated community of almost 6,000 residents deserving of first local transmission service. In providing that first local transmission service by relocating to Fairport, ERL will achieve a service gain of over 390,000 persons; all of the people residing within the resulting loss area will continue to be "well-served"; and Avon will continue to be the community of license of full-time Station WYSL(AM). Consequently, ERL's proposal results in a preferential arrangement of allotments. In light of the foregoing, the Commission should issue a notice of Proposed Rulemaking proposing to reallocate Channel 227A from Avon to Fairport.

Respectfully submitted,

**ENTERCOM ROCHESTER LICENSE, LLC**

By: 

Brian M. Madden

H. Anthony Lehv

Elizabeth N. Alexander

(Admitted in Illinois, Supervised

By Members of the DC Bar)

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## ENGINEERING STATEMENT

PETITION FOR RULEMAKING TO  
AMEND SECTION 73.202 OF THE RULES  
AND REGULATIONS FOR THE FEDERAL  
COMMUNICATIONS COMMISSION

TO ASSIGN FM CHANNEL 227A  
FOR USE AT FAIRPORT, NEW YORK

ENTERCOM ROCHESTER LICENSE, LLC

NOV 2000

## **ENGINEERING STATEMENT**

This Engineering Statement has been prepared on behalf of Entercom Rochester License, LLC ("Entercom"), licensee of FM station WBBF-FM, in support of a Petition for Rulemaking to amend §73.202 of the Commission's Rules to reallocate Channel 227A from Avon to Fairport, New York, and to modify the license of WBBF-FM to specify operation at Fairport.

Reallocation of WBBF-FM from Avon to Fairport will provide the Village of Fairport, having a 1990 Census population 5,943 persons, with its first local aural service. Avon will retain local aural service from full-time AM station WYSL 1040 kHz.

### **Allocation Study**

As outlined in the attached spacing study, Channel 227A can be assigned for use at Fairport in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allocations. For this study the coordinates of the WBEE 223B Rochester licensed facility (NL 43° 10' 37" x WL 77° 28' 39") have been used. The attached contour map demonstrates that 100% of Fairport would be encompassed by the standard Class A 70 dBu arc of 16.2 km from the proposed Fairport 227A reference site.

The proposed Fairport 227A allocation site is short-spaced to Canadian station CBCP-FM on Channel 228B at Peterborough, Ontario. Under the terms of the Working Arrangement, the required first-adjacent-channel Class B to Class A spacing is 137 kilometers, whereas the

Hatfield & Dawson Consulting Engineers

distance between the proposed Fairport 227A allotment site and the CBCP-FM 228B site is 117.47 kilometers. The attached allocation study map demonstrates that the proposed Fairport 227A 48 dBu F(50,10) contour will not overlap the CBCP-FM 228B 54 dBu F(50,50) contour at any location over Canadian land areas. Per the terms of Section 5.2.2.1 of the Working Arrangement, the distance to the CBCP-FM 228B 54 dBu F(50,50) protected contour has been based on maximum allowable parameters, out to a maximum distance of 65 kilometers.

The proposed Fairport 227A allotment meets the domestic Class B to Class A spacing requirement of 113 kilometers with respect to CBCP-FM 228B. Therefore, no analysis with respect to interference received from CBCP-FM 228B is required.

Further research, however, shows that CBCP-FM no longer operates on Channel 228B. On June 9, 1999, the International Bureau concurred with a Canadian proposal for the substitution of Channel 254B for Channel 228B at Peterborough. Canadian authorities granted the channel change on December 2, 1998 (see Decision CRTC 98-516, a copy of which is attached). According to the Canadian FM Database, CBCP-FM now operates on Channel 254B. Therefore, the apparent Fairport 227A short-spacing to CBCP-FM on Channel 228A is a moot issue.

## Gain and Loss Areas

The gain and loss areas resulting from the proposed reallocation are shown in the table below.

	Land Area	1990 Census Population
Avon 227A 60 dBu	2,515 km <sup>2</sup>	410,049
Fairport 227A 60 dBu	1,870 km <sup>2</sup>	727,243
Common Area	784 km <sup>2</sup>	337,097
Gain Area	1,086 km <sup>2</sup>	390,146
Loss Area	1,731 km <sup>2</sup>	72,952

Note that the drop in area covered by the proposed reallocation (from 2,515 km<sup>2</sup> to 1,870 km<sup>2</sup>) is due to the fact that the Avon 227A 60 dBu contour falls entirely over land, while the Fairport 227A 60 dBu contour falls partially over Lake Ontario.

None of the gain area includes any white, gray, or underserved areas.<sup>1</sup> The following stations provide full-time service to 100% of the gain area:

WBEE-FM	223B	Rochester, NY
WCMF-FM	243B	Rochester, NY
WPXY-FM	250B	Rochester, NY
WBBF-FM	255B	Rochester, NY
WVOR-FM	263B	Rochester, NY
WRMM-FM	267B	Rochester, NY
WHAM-AM	1180 kHz	Rochester, NY (Class A)

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<sup>1</sup>In determining reception service provided by FM stations, the area of service circumscribed by the station's 1.0 mV/m signal contour was considered, assuming 1) actual facilities for non-commercial stations operating on reserved channels, 2) maximum facilities for the class of station for stations (other than Class C stations) operating on non-reserved channels, and 3) minimum or existing Class C facilities, whichever is greater, for Class C stations. For clear channel Class A AM stations, the service area was defined by the station's 0.5 mV/m groundwave contour, based on its licensed facilities. For all other classes of full-time AM stations, reception service was defined as that service received within a station's nighttime interference-free contour.



Additional stations provide service to portions of the gain area. A complete list of those stations will be provided if requested by the Commission.

All of the loss area is considered to be well-served, and the proposed reallocation will not create any white, gray, or underserved areas. The following stations provide full-time service to part or all of the loss area:

WFRW-FM	201B1	Webster, NY
WCOU-FM	202B1	Warsaw, NY
WRUR-FM	203A	Rochester, NY
WCIY-FM	205A	Canandaigua, NY
WBSU-FM	206B1	Brockport, NY
WGSU-FM	207A	Geneseo, NY
WEOS-FM	209A	Geneva, NY
WITR-FM	209A	Henrietta, NY
WBER-FM	213B1	Rochester, NY
WXXI-FM	218B	Rochester, NY
WBEE-FM	223B	Rochester, NY
WDNY-FM	230A	Dansville, NY
WZNE-FM	231A	Brighton, NY
WNVE-FM	236B	South Bristol Township, NY
WCMF-FM	243B	Rochester, NY
WPXY-FM	250B	Rochester, NY
WBBF-FM	255B	Rochester, NY
WZXV-FM	259A	Palmyra, NY
WVOR-FM	263B	Rochester, NY
WRMM-FM	267B	Rochester, NY
WFLK-FM	269A	Geneva, NY
WMAX-FM	272A	Canandaigua, NY
WDCZ-FM	274A	Webster, NY
WDKX-FM	280A	Rochester, NY
WKPQ-FM	287B	Hornell, NY
WMJQ-FM	288A	Brockport, NY
WJZR-FM	290A	Rochester, NY
WKGS-FM	294A	Irondequoit, NY
WLCL-FM	297A	Honeoye Falls, NY
WNUC-FM	299B	Wethersfield Township, NY
WHAM-AM	1180 kHz	Rochester, NY (Class A)
WWKB-AM	1520 kHz	Buffalo, NY (Class A)

### **Tuck Analysis**

Fairport 227A will provide 70 dBu service to 65% of the Rochester Urbanized Area. Therefore, a "Tuck" analysis is included to demonstrate that Fairport is sufficiently independent of Rochester to warrant a first local service preference.

Hatfield & Dawson Consulting Engineers

## SEARCH PARAMETERS

FM Database Date:

Page 1

Channel: 227  
 Class: A  
 Latitude: 43 10 37  
 Longitude: 77 28 39  
 Safety Zone: 100 km  
 Job Title: WBBF at WBEE Site

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
CBBKFM	KINGSTON ON -		225A 92.9	1.600 121.0	44-17-22 76-28-50	32.6	147.41 96.41	51 CLEAR
WBUF LIC	BUFFALO NY BLH-7243		225B 92.9	91.000 177.0	42-38-12 78-42-58	239.6	117.62 48.62	69 CLEAR
CHAYFM	BARRIE ON -		226C1 93.1	100.000 304.0	44-21- 5 79-41-55	307.0	221.40 53.40	168 CLEAR
WNTQaux LIC	SYRACUSE NY BLH-19830913		226B 93.1	39.000 210.0	42-56-47 76- 1-32	101.8	121.02 0.00	0 AUX
WNTQ LIC	SYRACUSE NY BLH-19981102		226B 93.1	97.000 201.0	42-56-48 76- 1-28	101.7	121.10 8.10	113 CLOSE
CFRUFM	GUELPH ON -		227A 93.3	0.000 0.0	43-32- 7 80-13-25	281.1	226.16 75.16	151 CLEAR
CFRUFM	GUELPH ON -		227A 93.3	0.050 60.0	43-32- 7 80-13-25	281.1	226.16 75.16	151 CLEAR
CFMUFM	HAMILTON ON -		227D 93.3	0.050 60.0	43-14-41 79-54-58	273.0	198.31 0.00	0 CLS=D
WBBF LIC	AVON NY BLH-19940816		227A 93.3	4.000 DA 119.0	42-54-55 77-39-35	207.0	32.64 -82.36	115 SHORT
W227AB LIC	ENDICOTT NY BLFT-19920518		227D 93.3	0.024 106.0	42- 6-55 76- 3-40	135.1	165.53 0.00	0 TRANS
WWSE LIC	JAMESTOWN NY BLH-19850917		227B 93.3	26.500 196.0	42- 5- 6 79-17-23	231.3	191.86 13.86	178 CLEAR
WCIZ-FM LIC	WATERTOWN NY BLH-19981112		227A 93.3	6.000 100.0	43-57-23 75-50-45	56.0	157.72 42.72	115 CLEAR
WBZD-FM LIC	MUNCY PA BLH-19970403		227B1 93.3	1.700 372.0	41-12-42 76-57-16	168.7	222.53 79.53	143 CLEAR
CBCPFM	PETERBOROUGH ON -		228B 93.5	19.500 DA 245.0	44- 7-11 78- 8-12	333.4	117.47 -19.53	137 SHORT

## SEARCH PARAMETERS

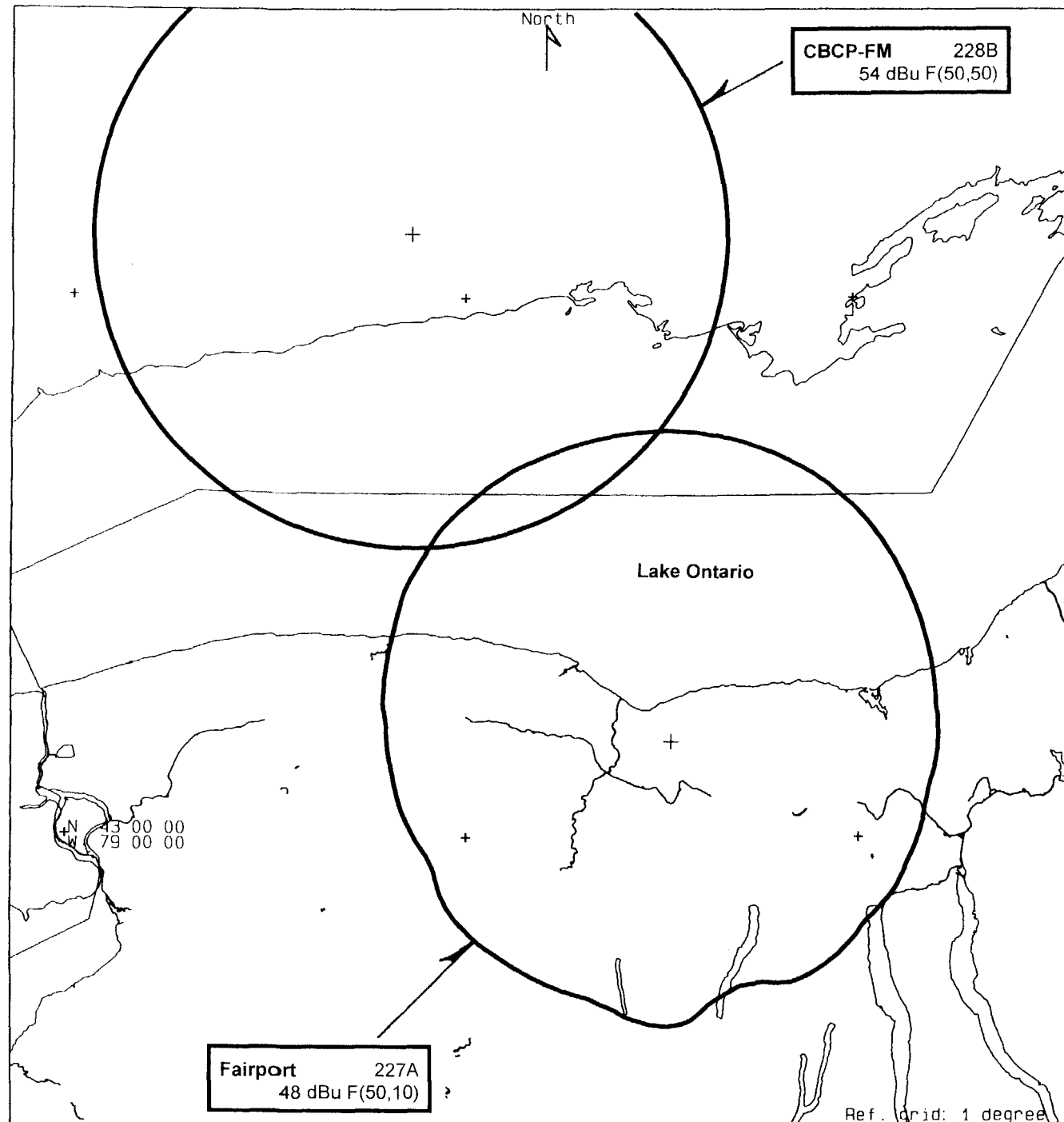
FM Database Date:

Page 2

Channel: 227  
 Class: A  
 Latitude: 43 10 37  
 Longitude: 77 28 39  
 Safety Zone: 100 km  
 Job Title: WBBF at WBEE Site

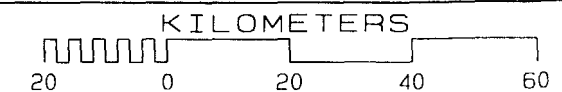
Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
W228AT LIC	ELMIRA-HORSEHEADS NY	BLFT-19890620	228D 93.5	0.008 235.0	42- 7-36 76-47-36	154.2	129.46 0.00	0 TRANS
W228AT CP	ELMIRA-HORSEHEADS NY	BPFT-19981216	228D 93.5	0.015 36.0	42- 5-19 76-48-25	155.4	132.82 0.00	0 TRANS
WVBR-FM LIC	ITHACA NY	BLH-3713	228A 93.5	3.000 76.0	42-25-42 76-26-57	134.4	118.29 46.29	72 CLEAR
WCOV-FM LIC	CLYDE NY	BLH-19960122	229A 93.7	3.800 100.0	42-59-38 76-51-59	112.1	53.76 22.76	31 CLEAR
WBLK LIC	DEPEW NY	BLH-19970128	229B 93.7	47.000 154.0	42-53-10 78-52-25	254.6	118.28 49.28	69 CLEAR
WDNY-FM LIC	DANSVILLE NY	BLH-19900409	230A 93.9	0.570 226.0	42-30-45 77-38- 7	189.9	74.93 43.93	31 CLEAR
WVOQ LIC	MEXICO NY	BLH-19970121	280A 103.9	3.000 89.0	43-28-36 76-16-44	70.6	102.76 92.76	10 CLEAR
WDXK LIC	ROCHESTER NY	BMLH-19980401	280A 103.9	0.800 165.0	43- 9-17 77-36-16	256.5	10.61 0.61	10 CLOSE
WHTT-FM LIC	BUFFALO NY	BLH-19970523	281B 104.1	50.000 118.0	42-49-50 78-48- 1	250.8	114.52 99.52	15 CLEAR
WHTTaux LIC	BUFFALO NY	BPH-19970523	281B 104.1	50.000 68.0	42-49-51 78-48- 0	250.8	114.48 0.00	0 AUX

===== END OF FM SPACING STUDY FOR CHANNEL 227 =====



## HATFIELD & DAWSON SEATTLE, WA

This map exhibit demonstrates that the proposed Fairport 227A 48 dBu F(50,10) contour will not overlap the CBCP-FM 228B 54 dBu F(50,50) contour at any location over Canadian land areas. Per the terms of Section 5.2.2.1 of the Working Arrangement, the distance to the CBCP-FM 228B 54 dBu F(50,50) protected contour has been based on maximum allowable parameters, out to a maximum distance of 65 kilometers.



## Allocation Study Map

Hatfield and Dawson  
Fairport 227A Oct 2000

## Decision

Ottawa, 2 December 1998

Decision CRTC 98-516

Canadian Broadcasting Corporation

Toronto and Peterborough, Ontario -  
199716198

*Application processed by  
Public Notice CRTC 1998-95  
dated 10 September 1998*

### **Change in frequency and power decrease for CBCP-FM**

1. The Commission approves the application to amend the broadcasting licence for CBLA-FM Toronto, by changing the frequency of its transmitter CBCP-FM Peterborough from 93.5 MHz (channel 228B) to 98.7 MHz (channel 254B) and by decreasing the effective radiated power from 10,400 watts to 10,170 watts. The Commission notes that CBCP-FM's coverage area will not change significantly.

2. The Commission authorizes the licensee to operate the undertaking on the basis of the contours and particulars resulting from the above-mentioned changes.

3. The authority will only be effective and the licence will only be amended when the new transmitting facilities are constructed and ready to begin operation. When the licensee has completed construction and is prepared to commence operation, it must advise the

## Décision

Ottawa, le 2 décembre 1998

Décision CRTC 98-516

Société Radio-Canada

Toronto et Peterborough (Ontario) -  
199716198

*Demande traitée par  
l'avis public CRTC 1998-95  
du 10 septembre 1998*

### **Changement de la fréquence et diminution de la puissance de CBCP-FM**

1. Le Conseil approuve la demande de modification de la licence de radiodiffusion de CBLA-FM Toronto visant à changer la fréquence de l'émetteur CBCP-FM Peterborough de 93,5 MHz (canal 228B) à 98,7 MHz (canal 254B) et à diminuer la puissance apparente rayonnée de 10 400 watts à 10 170 watts. Le Conseil observe qu'il n'y aura aucun changement important au périmètre de rayonnement de CBCP-FM.

2. Le Conseil autorise la titulaire à exploiter son entreprise en fonction du périmètre de rayonnement et autres détails résultant des modifications mentionnées ci-dessus.

3. La présente autorisation n'entrera en vigueur et la licence ne sera modifiée qu'au moment où la construction des installations de transmission sera terminée et que la titulaire sera prête à les mettre en exploitation. Lorsque la titulaire en aura terminé la construction

Commission in writing. If the transmitting facilities are not constructed and ready to operate within 12 months of today's date, extensions to this time frame may be granted provided that the licensee applies in writing to the Commission before the 12-month period or any extension of that period expires.

4. The Department of Industry has advised the Commission that this application is conditionally technically acceptable. The Department will only issue a Broadcasting Certificate once it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.

5. In accordance with section 22(1) of the *Broadcasting Act*, the Commission will only issue the licence amendment and grant the authority to operate when it receives notification from the Department of Industry that its technical requirements have been met, and that a Broadcasting Certificate will be issued.

Secretary General

*This decision is to be appended to the licence.*

*This document is available in alternative format upon request, and may also be viewed at the following Internet site: <http://www.crtc.gc.ca>*

et sera prête à les mettre en exploitation, elle devra en aviser le Conseil par écrit. Si les installations de transmission ne sont pas construites et prêtes à être mises en exploitation d'ici douze mois, une prorogation pourra être accordée si la titulaire en fait la demande au Conseil par écrit avant l'expiration du délai de douze mois ou de toute prorogation accordée.

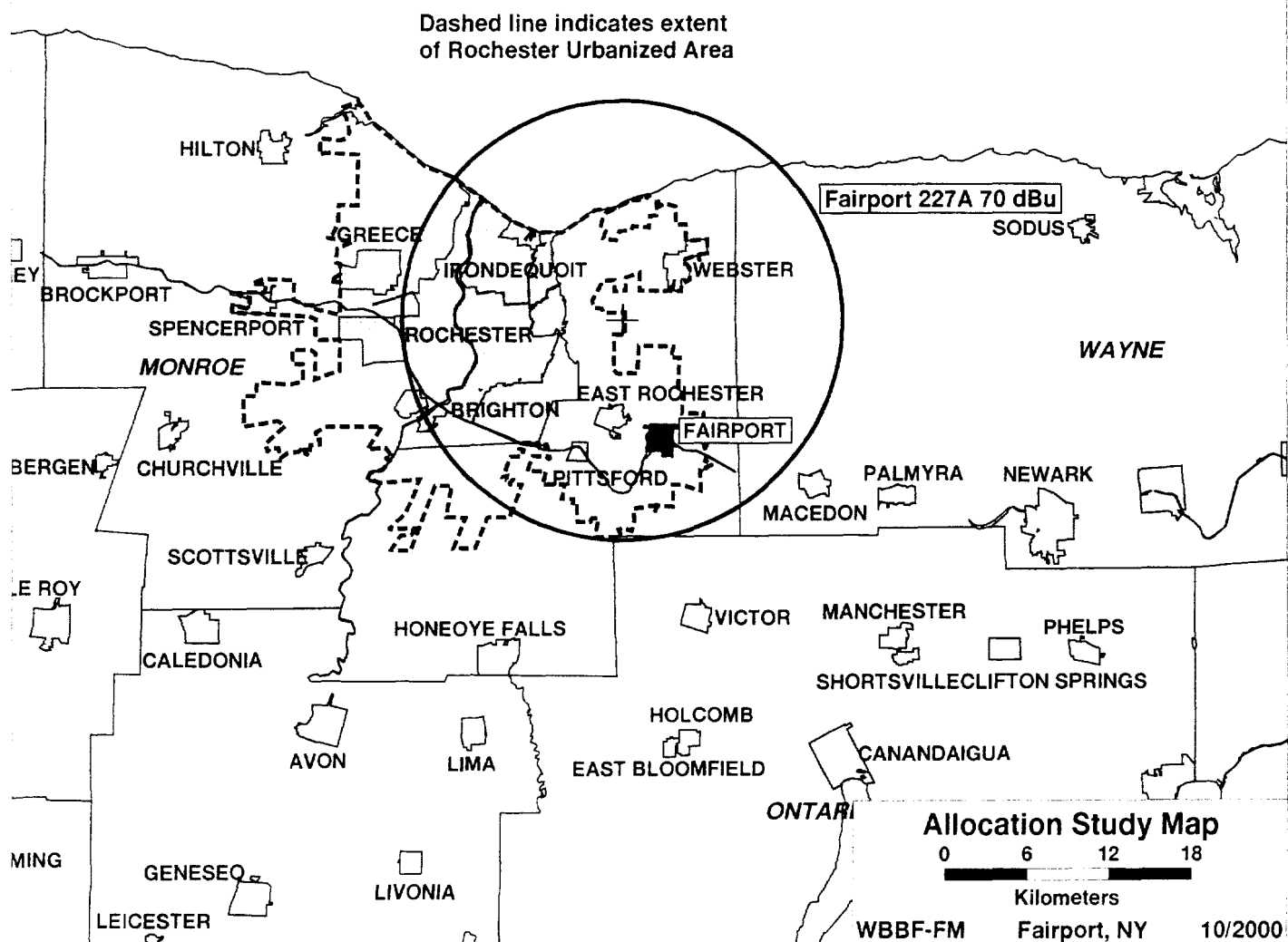
4. Le ministère de l'Industrie a avisé le Conseil que cette demande est techniquement acceptable sous condition. Le ministère n'attribuera un certificat de radiodiffusion que lorsqu'il aura été établi que les paramètres techniques proposés ne brouilleront pas de façon inacceptable les services aéronautiques NAV/COM.

. Conformément à l'article 22(1) de *la Loi sur la radiodiffusion*, le Conseil n'attribuera la licence modifiée et l'autorisation ne sera accordée qu'au moment où le ministère de l'Industrie aura confirmé par écrit que ses exigences techniques ont été satisfaites et qu'un certificat de radiodiffusion sera attribué.

Secrétaire général

*La présente décision devra être annexée à la licence.*

*Ce document est disponible, sur demande, en média substitut et peut également être consulté sur le site Internet suivant : <http://www.crtc.gc.ca>*

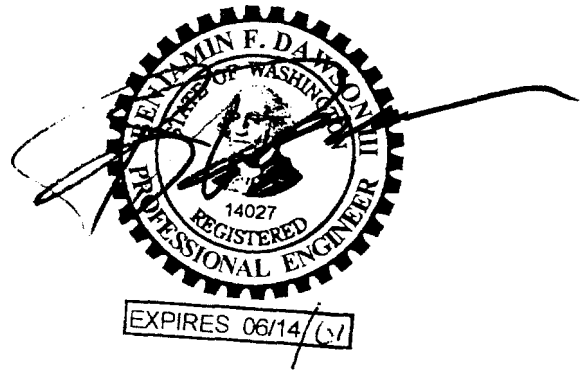




### Statement of Engineer

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments to reallocate Channel 227A from Avon to Fairport, New York, has been prepared on behalf of Entercom Rochester License, LLC. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 28<sup>th</sup> day of November, 2000.



Benjamin F. Dawson III, P.E.

Hatfield & Dawson Consulting Engineers